

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

BUWLUS A. MUHAMMAD,  
Plaintiff,  
v.  
U.S. MARSHAL SERVICE, et al,  
Defendants.

C.A. No. 07-27 ERIE

MEMORANDUM ORDER

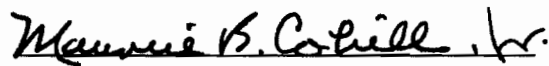
Plaintiff's complaint was received by the Clerk of Court on February 22, 2007, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The magistrate judge's report and recommendation, filed on February 20, 2009, recommended that the Motion to Dismiss or in the Alternative for Summary Judgment filed by Defendant U.S. Marshal Bill Doe [Document # 51] be granted. The parties were allowed ten (10) days from the date of service to file objections. Service was made on Plaintiff by certified mail at SCI Cresson, where he is incarcerated, and on Defendants. Objections were filed by Plaintiff on March 10, 2009. After de novo review of the pleadings and documents in the case, together with the report and recommendation and objections thereto, the following order is entered:

AND NOW, this <sup>19<sup>th</sup></sup> Day of March, 2009;

IT IS HEREBY ORDERED that the Motion to Dismiss or in the Alternative for Summary Judgement by Defendant U.S. Marshal Bill Doe [Document # 51] is GRANTED. The Clerk of Court is directed to dismiss Defendant U.S. Marshal Bill Doe from this action.

The report and recommendation of Magistrate Judge Baxter, dated February 20, 2009, is adopted as the opinion of the court.

  
MAURICE B. COHILL, JR.  
United States District Judge

cc: Susan Paradise Baxter  
U.S. Magistrate Judge  
all parties of record \_\_\_\_\_